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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/737,404      | 12/14/2000  | Suman Kumar Inala    | P3902D1             | 1791             |

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CENTRAL COAST PATENT AGENCY  
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EXAMINER

NGUYEN, MAIKHANH

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 04/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

|  |                             |   |  |
|--|-----------------------------|---|--|
| <b>Office Action Summary</b>   | Application No.             | Applicant(s)  |  |
|  | 09/737,404                  | INALA ET AL.  |  |
|  | Examiner<br>Maikhanh Nguyen | Art Unit<br>2176  |  |
| <i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>   |                             |   |  |
| <b>Period for Reply</b>  |                             |   |  |
| <b>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.</b>   |                             |   |  |
| <ul style="list-style-type: none"> <li>- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li> <li>- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.</li> <li>- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li> <li>- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).</li> <li>- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</li> </ul> |                             |   |  |
| <b>Status</b>  |                             |   |  |
| 1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>14 December 2000</u> .   |                             |   |  |
| 2a) <input type="checkbox"/> This action is FINAL.   |                             | 2b) <input checked="" type="checkbox"/> This action is non-final.           |  |
| 3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  |                             |   |  |
| <b>Disposition of Claims</b>   |                             |   |  |
| 4) <input checked="" type="checkbox"/> Claim(s) <u>1-12</u> is/are pending in the application.   |                             |   |  |
| 4a) Of the above claim(s) _____ is/are withdrawn from consideration.   |                             |   |  |
| 5) <input type="checkbox"/> Claim(s) _____ is/are allowed.   |                             |   |  |
| 6) <input checked="" type="checkbox"/> Claim(s) <u>1-12</u> is/are rejected.   |                             |   |  |
| 7) <input type="checkbox"/> Claim(s) _____ is/are objected to.   |                             |   |  |
| 8) <input type="checkbox"/> Claim(s) _____ are subject to restriction and/or election requirement.   |                             |   |  |
| <b>Application Papers</b>  |                             |   |  |
| 9) <input type="checkbox"/> The specification is objected to by the Examiner.  |                             |   |  |
| 10) <input type="checkbox"/> The drawing(s) filed on _____ is/are: a) <input type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner.  |                             |   |  |
| Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  |                             |   |  |
| 11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved by the Examiner.  |                             |   |  |
| If approved, corrected drawings are required in reply to this Office action.   |                             |   |  |
| 12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.   |                             |   |  |
| <b>Priority under 35 U.S.C. §§ 119 and 120</b>   |                             |   |  |
| 13) <input type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).   |                             |   |  |
| a) <input type="checkbox"/> All b) <input type="checkbox"/> Some * c) <input type="checkbox"/> None of:  |                             |   |  |
| 1. <input type="checkbox"/> Certified copies of the priority documents have been received.   |                             |   |  |
| 2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____.  |                             |   |  |
| 3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).   |                             |   |  |
| * See the attached detailed Office action for a list of the certified copies not received.   |                             |   |  |
| 14) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  |                             |   |  |
| a) <input type="checkbox"/> The translation of the foreign language provisional application has been received.   |                             |   |  |
| 15) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  |                             |   |  |
| <b>Attachment(s)</b>   |                             |   |  |
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  |                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____. |  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   |                             | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.  |                             | 6) <input type="checkbox"/> Other: _____.                                   |  |

## DETAILED ACTION

1. This action is responsive to communications: original application filed 12/14/2000 with divisional filing date 06/01/1999.
2. Claims 1-12 are currently pending in this application. Claims 1 and 7 are independent claims.

### *Specification*

3. The disclosure is objected to because of the following informalities:  
On line 29, page 22, it appears that “Pearl” should be “Perl” (Practical Extraction and Report Language).  
Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b).

Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by **Nazem et al.** (U.S. 5,983,227 – filed 06/1997).

**As to independent claim 1**, Nazem teaches an Internet Portal (Internet 106; col.2, lines 52-57), comprising:

- an Internet-connected server (server 104; col.2, lines 52-57); and
- a portal software executing on the server, including a summary software agent (e.g.; “my.yahoo.com”; col.2, lines 58-67);

wherein the Portal maintains a list of Internet destinations specific for a subscriber (name server 108 will use the user name from the provided cookie or the user’s IP address to assign a page server based on hash of the user name or IP address; col.4, line 40 – col.5, line 7) and the summary software agent accesses the Internet destinations, retrieves information according to pre-programmed criteria (Fig. 5A, e.g., the information about “McVEIGH” are retrieved) and summarizes the retrieved information for delivery to the subscriber (summaries from each of the major news topics ... for a particular user; col.5, line 50 – col.6, line 12).

**Independent claim 7** is for a method presenting the system of claim 1, and is similarly rejected under the same rationale.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2-6 and 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nazem** in view of **Nehab** (U.S. 6,029,182 – filed 10/1996).

**As to dependent claim 2**, Nehab teaches a configuration and initiation interface for a subscriber to set up and start a summary search (col.9, lines 36-43 & col.10, lines 37-44).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Nehab with Nazem because it would have provided the capability for facilitating searching and obtaining information from an Internet Server.

**As to dependent claim 3**, Nehab teaches the summary searches are configured for individual clients as templates stored and retrieved at the Internet-connected server (col.7, lines 27-34).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Nehab with Nazem because it would have provided the capability for facilitating storing and retrieve information from an Internet Server.

**As to dependent claim 4**, Nehab teaches information retrieved in a summary search is stored to be retrieved by the subscriber (col.10, lines 22-36).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Nehab with Nazem because it would have provided the capability for user(s) to retrieve a summary search.

**As to dependent claim 5**, Nehab teaches information retrieved in a summary search is downloaded immediately to the subscriber (col.10, lines 22-36).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Naheb with Nazem because it would have provided the capability for user(s) to view a summary of the desired information.

**As to dependent claim 6**, Nehab teaches autologins are performed for the subscriber at each Internet site according to a data stored for the subscriber at the Portal (address information and passwords ...in site profile; col.9, lines 4-16).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Nehab with Nazem because it would have provided the capability for avoiding unauthorized users from accessing the system.

**Dependent claims 8-12** include the same limitations as in claims 2-6, and are similarly rejected under the same rationale.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Finseth et al. U.S Patent No. 6,271,840 issued dated: Aug. 7, 2001

Nakao U.S Patent No. 6,205,456 issued dated: Mar. 20, 2001

Brown et al. U.S Patent No. 5,887,173 issued dated: Mar. 23, 1999

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703) 306-0092. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5403 for regular communications and (703) 308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

### **Contact Information:**

Art Unit: 2176

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Or fax to:

AFTER-FINAL faxes must be signed and sent to (703) 746-7238.  
OFFICIAL faxes must be signed and sent to (703) 746-7239.  
NON OFFICIAL faxes should be sent to (703) 746-7240.

All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday, or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.

Maikhanh Nguyen  
April 2, 2002

  
HEATHER R. HERNDON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100